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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,823	12/19/2001	Paul James Reddy	69017	4265
27975	7590	11/02/2005		
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791			EXAMINER RUDOLPH, VINCENT M	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/025,823	Applicant(s) REDDY, PAUL JAMES	
	Examiner Vincent M. Rudolph	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-5, 11, 21-23, 27-30 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Lobiondo ('194).

Regarding claim 1, Lobiondo ('194) discloses having a document scanner (the copier includes a scanner section, See Figure 1, Element 35; Col. 5, Line 68-Col. 6, Line 2), a document processing device (a workstation, See Figure 2) that includes a user interface with touch screen display, a scanner for photocopying, a controller and printer section (See Col. 5, Line 65-Col. 6, Line 4), which is able to cooperate with the document scanner to perform copy jobs (by using an electronic reprographic machine, See Col. 5, Line 63-Col. 6, Line 2) as well as perform print jobs and other requests (a user at the workstation can request copy jobs, print jobs, etc., See Col. 3, Line 56-63). He also discloses a copy station that is connected to the document processing device (See Figure 2), a document scanner (Figure 2, Element 35) and a print server (See Figure 1, Element 60) for allowing a user to enable the document processing device (user can access print jobs within the network, See Col. 3, Line 37-41) and document scanner to perform a copy job (user scans the requested data and print it, See Col. 3, Line 56-63). Since the workstation (document processing device) disclosed by

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Lobiondo ('194) has printing, copying (using the document scanner within the document processing device), and networking capabilities, it holds a copy and print job on the same level because a job is printed from a printer chosen from all the networked ones in order to complete it in the time specified (See Col. 4, Line 47-54), so if a user tried to do a print and/or copy job, a message is displayed saying a job is being done at one or more locations and cannot complete the job currently (See Col. 6, Line 29-34).

Regarding claim 4, Lobiondo ('194) discloses an alternate document processing device (See Figure 1, Element 30), wherein this happens are a result of the print server diverting pending print jobs to an alternate document processing device performing either a copy job (with an document scanner) or a print job (a database contains the current availability of all printers on the network, See Col. 4, Line 8-15, so that a scheduler is able to have the data printed either at a predetermined location, a specific document processing device, alternative document processing devices or printers near the predetermined one, a remote printer, or diverting the job between a plurality of printers for a print job, See Col. 5, Line 34-40).

Regarding claim 5, Lobiondo ('194) discloses having a display (See Figure 2, Element 75) with a user interface (See Figure 2, Element 40) that notifies the user via the scheduler, which may be in a print server, how the job was or will be distributed, as well as when the job is completed (See Col. 6, Line 22-48).

Regarding claim 11, Lobiondo ('194) mentions that Reed ('806) is incorporated herein by reference in its entirety (See Col. 6, Line 4-7). Reed ('806) discloses a message frame (See Figures 12 and 13) that appears on the display informing the user

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why the job faulted or was prevented from printing on the workstation (See Col. 8, Line 57-63).

Regarding claim 28, Lobiondo ('194) mentions that Reed ('806) is incorporated herein by reference in its entirety (See Col. 6, Line 4-7). Reed ('806) discloses a main memory incorporating several hard disks (See Figure 2, Element 56) used for storing operating system software within the document processing device (workstation) as well as other data (See Col. 5, Line 47-50). Since the workstation (document processing device) disclosed by Lobiondo ('194) has printing, copying, and networking capabilities, it holds a copy and print job on the same level because a job is printed from a printer chosen from all the networked ones in order to complete it in the time specified (See Col. 4, Line 47-54), so if a user tried to do a print and/or copy job, a message is displayed saying a job is being done at one or more locations and cannot complete the job currently (See Col. 6, Line 29-34).

Regarding claims 21-23, 27, 29-30 and 34, the rationale provided in the rejection of claims 1, 4-5 and 11 is incorporated herein. In addition, the system of claims 1, 4-5 and 11 corresponds to the method of claims 21-23 and 27 and the computer readable medium of claims 29-30 and 34 and performs the steps disclosed, respectively.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo ('194).

Regarding claim 2, Lobiondo ('194) discloses having a scheduler, which can be either hardware or software located within the network (See Col. 3, Line 41-44) and can examine the print queue of a user-selected printer, see if there are any jobs ahead, and have it print at the selected location if the queue is relatively small (See Col. 5, Line 18-23).

Lobiondo ('194) does not disclose polling the print queue in order to detect if a document processing device is performing a print job or not.

It is well known within the art that polling is defined as the time interval the print server waits between checking the print queues for jobs ready and waiting to be printed. Since the scheduler not only checks print jobs within the document processing device, but also distributes the job to the one that has the least amount of jobs, it is determined that the scheduler polls the printers when requested.

Regarding claim 3, Lobiondo ('194) discloses a scheduler, which can be either hardware or software located in the document processing device located within the network (See Col. 3, Line 41-44). The document processing device also has a copier connected to it (See Figure 2, Element 35) that can examine the print queue of a user-selected printer, see if there are any jobs ahead, and have it print at the selected location if the queue is relatively small (See Col. 5, Line 18-23).

Lobiondo ('194) does not disclose polling the print queue in order to detect is a copy station, which is connected to a document processing device is performing a print job or not.

It is well known within the art that polling is defined as the time interval the print server waits between checking the print queues for jobs ready and waiting to be printed. Since the scheduler not only checks print jobs within the document processing device, but also distributes the job to the one that has the least amount of jobs, it is determined that the scheduler polls the printers when requested.

Claims 6-10, 12-14, 15-20, 24-26, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobiondo ('194) in view of Johnson ('598).

Regarding claim 6, Lobiondo ('194) mentions that Reed ('806) is incorporated herein by reference in its entirety (See Col. 6, Line 4-7). Reed ('806) discloses having a job ticket and scorecard programmed within the workstation (See Figure 7, Elements 150 and 152), which includes the person's account on the display and contains numerous options before the job is ready for printing and/or copying (See Col. 6, Line 25-31).

Lobiondo ('194) with Reed ('806) incorporated does not however disclose a way to bill a person for doing a particular job from the copy station that is connected to the document processing system.

Johnson ('598) discloses a job control sheet (See Figure 5), which is scanned at the imaging area of the multi-function printer (See Figure 1, Element 18), to indicate several things, such as number of copies or staples, type of paper, billing the location of

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the job being done, etc. It also has a controller (See Figure 2, Element 46) to recognize the requests and perform them based on the bar code (See Figure 5, Element 14) and the marked boxes (See Col. 6, Line 35-40; Col. 7, Line 41).

It would have been obvious to a person of ordinary skill in the art at the time of the invention by the applicant to apply the method of having the billing and other requests completed on a job control sheet such as the one presented by Johnson ('598) and scanned into a document processing system, then include the scanned information within the job ticket and scoreboard mentioned by Lobiondo ('194) with Reed ('806) incorporated. By doing this, the copy station connected to the document processing device can establish a cost for the job and have it posted on the job scoreboard and ticker for the user to see. The user can then verify, correct, or add any information before the job is billed, printed and/or copied.

Regarding claim 7, Lobiondo ('194) mentions that Reed ('806) is incorporated herein by reference in its entirety (See Col. 6, Line 4-7). Reed ('806) discloses having a finisher (See Figure 1, Element 120), which includes a stitcher (See Figure 1, Element 122) for stitching or stapling papers together as well as a thermal binder (See Figure 1, Element 124) for binding the prints together (See Col. 4, Line 55-59).

Lobiondo ('194) with Reed ('806) incorporated does not however disclose a way to bill a person for these additional requests from the copy station that is connected to the document processing system.

Johnson ('598) discloses a job control sheet (See Figure 5), which is scanned at the imaging area of the multi-function printer (See Figure 1, Element 18), to indicate

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several job attributes, such as number staples, type of paper, billing the location of the job being done, etc. It also has a controller (See Figure 2, Element 46) to recognize these requests and perform them based on the bar code (See Figure 5, Element 14) and the marked boxes (See Col. 6, Line 35-40; Col. 7, Line 41).

It would have been obvious to a person of ordinary skill in the art at the time of the invention by the applicant to apply the method of having an additional billing for the other requests completed on a job control sheet such as the one presented by Johnson ('598). It can then be scanned into a copy center that is connected to a document processing system mentioned by Lobiondo ('194) with Reed ('806) incorporated. By doing this, the copy station connected to the document processing device can establish a total for the job with the additional costs and have it posted on the job scoreboard and ticker for the user to see. The user can then verify, correct, or add any information before the job is billed, printed and/or copied.

Regarding claim 8, Lobiondo ('194) mentions that Reed ('806) is incorporated herein by reference in its entirety (See Col. 6, Line 4-7). Reed ('806) discloses having a finisher (See Figure 1, Element 120), which includes a stitcher (See Figure 1, Element 122) for stitching or stapling papers together as well as a thermal binder (See Figure 1, Element 124) for binding the prints together (See Col. 4, Line 55-59). Reed ('806) also displays on the job ticket (See Figure 7, Element 150) the type of paper currently included within the document processing system and other customizations the user can change to one's liking (See Col. 6, Line 25-31).

Regarding claim 9, Lobiondo ('194) mentions that Reed ('806) is incorporated herein by reference in its entirety (See Col. 6, Line 4-7). Reed ('806) discloses having a job ticket and scorecard programmed within the document processing system (See Figure 7), which includes a person's account on the display and contains numerous requests for printing and/or copying (See Col. 6, Line 25-31).

Lobiondo ('194) with Reed ('806) incorporated does not however disclose a way to bill a person for doing a printing job.

Johnson ('598) discloses a job control sheet (See Figures 4 and 5), which is scanned at the imaging area of the multi-function printer (See Figure 1, Element 18), to indicate several things, such as number of copies or staples, type of paper, where to bill and print the job, etc., and have the controller (See Figure 2, Element 46) recognize the requests and perform these tasks based on the bar code (See Figure 5, Element 14) and the marked boxes (See Col. 6, Line 35-40; Col. 7, Line 41).

It would have been obvious to a person of ordinary skill in the art at the time of the invention by the applicant to apply a method of billing and other requests completed on a job control sheet such as the one presented by Johnson ('598) and scanned into a document processing system mentioned by Lobiondo ('194) with Reed ('806) incorporated. By doing this, the document processing system can assign and transfer the print job cost to the person's account and then stored on the print sever. This can be used to keep a record how much a person is using over a certain time period and if one is printing an excess out.

Regarding claim 10, Lobiondo ('194) mentions that Reed ('806) is incorporated herein by reference in its entirety (See Col. 6, Line 4-7). Reed ('806) discloses having a job ticket and scorecard programmed within the document processing system (See Figure 7), which includes a person's account on the display and contains numerous requests for printing and/or copying (See Col. 6, Line 25-31).

Lobiondo ('194) with Reed ('806) incorporated does not however disclose a way to transmit a valid billing code before a copy job can be done.

Johnson ('598) discloses a job control sheet (See Figures 4 and 5), which is scanned at the imaging area of the multi-function printer (See Figure 1, Element 18), to indicate several things, such as a box to indicate where to bill the job, and have the controller (See Figure 2, Element 46) recognize the requests and perform these tasks based on the bar code (See Figure 5, Element 14) and the marked boxes (See Col. 6, Line 35-40; Col. 7, Line 41).

It would have been obvious to a person of ordinary skill in the art at the time of the invention by the applicant to apply a method of billing completed on a job control sheet such as the one presented by Johnson ('598) and scanned into a document processing system mentioned by Lobiondo ('194) with Reed ('806) incorporated. By doing this, the document processing system can assign a certain cost for the job and bill it to the specified place based on a person's account. This can be used to keep a record how much a person is copying over a certain time period.

Regarding claim 12, Lobiondo ('194) discloses having a document scanner (the copier includes a scanner section, See Figure 1, Element 35; Col. 5, Line 68-Col. 6,

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Line 2), a primary document processing device (a workstation the user is at, See Figure 2) to perform print jobs, cooperate with the document scanner to perform copy jobs (by using an electronic reprographic machine, See Col. 5, Line 63-Col. 6, Line 2) as well as perform print jobs and other requests (a user at the workstation can request copy jobs, print jobs, etc., See Col. 3, Line 56-63). A user can specify the primary document processing device to output the job, but if it is determined that the job cannot be completed if there are some jobs ahead, the user can have the job printed at an alternate document processing device within a specified time (See Col. 5, Line 17-33). A scheduler, which is located within the network at a print server, is used to analyze the network for available printers, sent the job to it, and complete the job by the required time, but if it cannot, the scheduler allocates portions of the print job to a few available printers (See Col. 4, Line 54-57).

Regarding the rest of claims within claim 12, the rationale provided in the rejection of claims 1,4, and 10 are incorporated herein.

Regarding claims 13-14, the rationale provided in the rejection of claims 2-3 is incorporated herein respectively.

Regarding claim 31, Lobiondo ('194) mentions that Reed ('806) is incorporated herein by reference in its entirety (See Col. 6, Line 4-7). Reed ('806) discloses a main memory incorporating several hard disks (See Figure 2, Element 56) and is used for storing operating system software within the workstation as well as other data (See Col. 5, Line 47-50). Reed ('806) also describes having various jobs selections programmed onto a job ticket and scorecard (See Figure 7) that is displayed on touch screen display,

which can allow the user to make additional requests before the job is outputted (See Col. 6, Line 25-31).

Lobiondo ('194) with Reed ('806) incorporated does not however disclose a way to assign a billing for doing a copy and/or print job.

Johnson ('598) discloses a job control sheet (See Figures 4 and 5), which is scanned at the imaging area of the multi-function device (See Figure 1, Element 18), to indicate several things, such as where to bill and print the job, etc., and have the controller (See Figure 2, Element 46) recognize these requests and perform them based on the bar code (See Figure 5, Element 14) and the marked boxes (See Col. 6, Line 35-40; Col. 7, Line 41).

It would have been obvious to a person of ordinary skill in the art at the time of the invention by the applicant to apply the method of billing and other requests completed on a job control sheet such as the one presented by Johnson ('598) and scanned into a document processing device mentioned by Lobiondo ('194) with Reed ('806) incorporated. By doing this, the bar code on the job control sheet determines, if it is a printing job, where to print the job, any special requests incorporated with it, and have it billed at the location specified on the sheet. If it is a copy job, the sheet determines how many copies to make as well as any other requests before it is billed to the specific location. By assigning a cost for the print an/or copy job, a record can be kept for the how much the user is printing and/or copying.

Regarding claims 15-20, 24-26, and 32-33, the rationale provided in the rejection of claims 5-9 and 11 are incorporated herein. In addition, the system of claims 5-9 and

11 corresponds to the system of claims 15-20, the method of claims 24-26, and the computer readable medium of claims 32-33 and performs the steps disclosed.

Response to Arguments

Applicant argues that Lobiondo ('194) does not explicitly teach or fairly suggest disabling a scanner for scanning copy jobs while a print job is pending. Even though Smith ('021) does not explicitly state disabling a scanner while a print job is pending, his system does meet the claimed limitations. For instance, according to the claim language, the document processing device prevents the combination of document processing device and document scanner from performing a copy job. This corresponds to what Lobiondo ('194) discloses; a user can copy a document while a print job is pending but cannot print it at that location since another job is happening and vice versa. Rather, the user selects a different location to output the document but does not affect the process occurring at the document processing device. This results in a different combination (a second printer and scanner) performing the copy job. Therefore, by not disabling the scanner while a print job is pending, the document processing system is still able to input documents from other users (See Col. 3, Line 32-36). While the applicant may have intended to disable the document scanner when a print job is taking place, the claim limitations only disclose preventing the document processing device and document scanner from performing the copy job. The claims do not prevent use of the document scanner with a different document processing device, which Lobiondo ('194) is able to meet. Based on these facts, this action is made final.

Conclusion


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent M. Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vincent M Rudolph
Examiner
Art Unit 2624


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